

### REMARKS

This paper is responsive to the Office Action mailed from the Patent and Trademark Office on January 28, 2008, which has a shortened statutory period set to expire April 28, 2008. A one month extension, extending the period of response until May 28, 2008, is submitted herewith.

Claims 1, 10, 37 and 48-50 are objected to, and Claims 1, 4-10, 16, 17, 19, 21-30, 38, and 47-50 are pending in the above-identified application, and are rejected under 35 USC 103 for the reasons set forth below.

In the current paper, Claims 1 and 10 are amended. No new matter is entered. In view of these amendments and the following remarks, Applicants respectfully request reconsideration and withdrawal of all pending rejections.

### Objections

Claims 1, 10, 37 and 48-50 are objected to in paragraph 1 of the Office Action. Applicant points out that Claim 37 is cancelled and understands the objection to be directed to Claim 38.

Regarding the objection to Claims 1 and 10, these objections are respectfully traversed because the claim language properly recites a "portable card ... comprising: a data storage device". Reconsideration and withdrawal of these rejections is therefore respectfully requested.

Regarding the objection to Claims 38 and 48-50, these claims are amended to depend from Claim 19, which properly recites "a thin film". No new matter is entered. Reconsideration and withdrawal of these rejections is therefore respectfully requested.

Rejections Under 35 USC 103

Rejections over Liu and Wood

Claims 1, 2, 4, 10, 12, 28, 31, 32 and 45-46 are rejected under 35 USC 103(a) as being unpatentable over Liu (2001/0052543) in view of Wood (US 5,041,922).

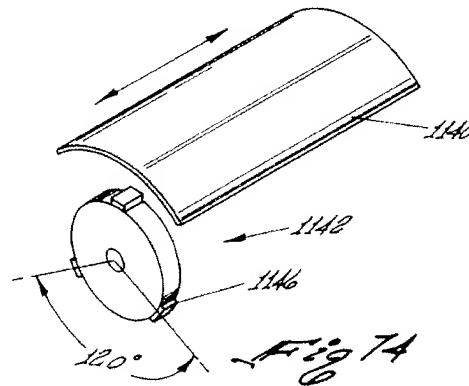
As set forth in Applicants' specification, Applicants' invention is directed to portable cards fabricated in accordance with standards promulgated by the American National Standards for Identification (ANSI). To clarify this point, Claims 1 and 10 are amended to include limitations consistent with ANSI standards that are distinguished over other data storage devices, such as PCMCIA cards.

Claim 1 is amended herein to recite (in pertinent part) "wherein the data storage device is bendable into an arcuate shape". Support for this limitation is provided, for example, in the paragraph bridging pages 99 and 100 of the specification (copied below for reference):

Figs. 72 through 74 are pictorial representation of a card reader for reading or writing data on a portable card having arcuate tracks or wherein the card is bendable into an arcuate shape or position and the data storage device is scanned by a rotating or scanning transducer.

Additional support is provided in the last full paragraph of page 100, which references Fig. 74 (both copied below):

In Fig. 74, the card 1140 is bend into an arcuate shaped which interact with a card reader 1142 through a rotating member 1144 having three transducers 1146 which are traversed across the arcuate shaped track to read or write data onto or from the data storage device. The card is orientated to move parallel to the central axis of the card reader.



As amended, Claim 1 is believed to be distinguished over Liu and Wood because neither of these references teach or suggest "wherein the data storage device is bendable into an arcuate shape", as recited in Claim 1.

Claim 10 is amended herein to recite (in pertinent part, emphasis added):

... at least one layer of high density, high coercivity magnetic material for storing magnetic signals in a manner compliant with ANSI/ISO/IEC standards, said magnetic material layer being disposed along an arcuate shaped track on said substrate ...

Support for this amendment is provided, for example, in the last full paragraph of page 42 of Applicants' specification. As amended, Claim 10 is believed to be distinguished over Liu and Wood because neither of these references teach or suggest "at least one layer of high density, high coercivity magnetic

material for storing magnetic signals in a manner compliant with ANSI/ISO/IEC standards", as recited in Claim 10.

Claims 2 and 4 depend from Claim 1, and Claims 12, 28, 31, 32 and 45-46 depend from Claim 10. Each of these claims is believed to be distinguished over the cited prior art for reasons similar to those set forth above with reference to Claims 1 and 10.

#### Rejections over Liu/Wood and Hirasawa

Claims 24 and 25 are rejected under 35 USC 103(a) as being unpatentable over Liu/Wood in view of Hirasawa (US Patent No. 6,250,552).

Claims 24 and 25 depend from Claim 10, and are believed to be distinguished over Liu/Wood for reasons similar to those set forth above with reference to Claim 10, and Hirasawa fails to overcome the deficiencies of Liu/Wood.

#### Rejections over Liu/Wood and Bajorek

Claims 26 and 49 are rejected under 35 USC 103(a) as being unpatentable over Liu/Wood in view of Bajorek (US Patent No. 6,482,330).

Claims 19, 26, 47 and 49 depend from Claim 10, and are believed to be distinguished over Liu/Wood for reasons similar to those set forth above with reference to Claim 10, and Bajorek fails to overcome the deficiencies of Liu/Wood.

#### Rejections over Liu/Wood and Mizoguchi

Claim 29 are rejected under 35 USC 103(a) as being unpatentable over Liu/Wood in view of Mizoguchi (US Patent No. 5,689,105).

Claim 29 depends from Claim 10, and is believed to be distinguished over Davis for reasons similar to those set forth above with reference to Claim 10, and Mizoguchi fails to overcome the deficiencies of Liu/Wood.

#### Rejections over Liu/Wood and Nishiyama

Claim 38 are rejected under 35 USC 103(a) as being unpatentable over Liu/Wood in view of Nishiyama (US Patent No. 5,721,942).

Claim 38 depends from Claim 10, and is believed to be distinguished over Davis for reasons similar to those set forth above with reference to Claim 10, and Mizoguchi fails to overcome the deficiencies of Liu/Wood.

#### Rejections over Liu/Wood and Meeks

Claim 48 is rejected under 35 USC 103(a) as being unpatentable over Liu/Wood in view of Meeks (US Patent No. 6,268,919).

Claim 48 depends from Claim 10, and is believed to be distinguished over Liu/Wood for reasons similar to those set forth above with reference to Claim 10, and Meeks fails to overcome the deficiencies of Liu/Wood.

#### Rejections over Liu/Wood and Foley

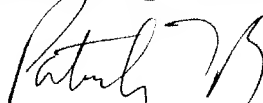
Claim 50 is rejected under 35 USC 103(a) as being unpatentable over Liu/Wood in view of Foley (US Patent No. 4,518,627).

Claim 50 depends from Claim 10, and is believed to be distinguished over Liu/Wood for reasons similar to those set forth above with reference to Claim 10, and Foley fails to overcome the deficiencies of Liu/Wood.

CONCLUSION

For the above reasons, Applicants believe Claims 1, 4-10, 16, 17, 19, 21-30, 38, and 47-50 are believed to be in condition for allowance. Should the Examiner have any questions regarding the present paper, the Examiner is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick T. Bever". The signature is stylized with a large, looped "P" and a long, sweeping "B".

Customer No. 022888

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